

AMENDED IN SENATE SEPTEMBER 6, 2013

AMENDED IN SENATE SEPTEMBER 3, 2013

AMENDED IN SENATE JULY 2, 2013

AMENDED IN SENATE JUNE 6, 2013

AMENDED IN ASSEMBLY APRIL 18, 2013

AMENDED IN ASSEMBLY APRIL 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 411

Introduced by Assembly Member Pan

February 15, 2013

An act to add Section 14029.92 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 411, as amended, Pan. Medi-Cal: performance measures.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Under existing law, one of the methods by which Medi-Cal services are provided is pursuant to contracts with managed care plans. Existing federal law generally requires that a state that contracts with certain managed care plans ensure that an external quality review is performed by an External Quality Review Organization (EQRO).

This bill would require, when the department enters into a new contract with an EQRO, all Medi-Cal managed care plans to link individual level data collected as a part of analyzing their Healthcare Effectiveness Data and Information Set (HEDIS) measures, or their External Accountability Set (EAS) performance measure equivalent, to patient identifiers in a manner that allows for an analysis of disparities in medical treatment by certain characteristics, including geographic region and primary language, and to submit that data to the department annually. The department would be required to make that individual level data available for research purposes, as specified. The bill would also require, when the department enters into a new contract with an EQRO, *for the EQRO to perform work associated with Medi-Cal managed care programs*, that the department either include in the terms of the new contract a requirement that, upon approval of the contract, the EQRO stratify all patient-specific ~~HEDIS Healthcare Effectiveness Data and Information Set~~ measures, or their ~~EAS External Accountability Set~~ performance measure equivalent, in the aggregate, by certain characteristics, including geographic region *area* and primary language, or that the department, upon approval of the contract, stratify those same measures, in the aggregate, by those same characteristics: *language*. The bill would require the department to publicly report this analysis on the department's Internet Web site. *The bill would provide that its provisions only be implemented to the extent that funding is available.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14029.92 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 14029.92. (a) ~~When the department enters into a new contract~~
- 4 ~~with an External Quality Review Organization (EQRO), the~~
- 5 ~~department shall require all Medi-Cal managed care plans,~~
- 6 ~~including county organized health systems and plans contracting~~
- 7 ~~with the department to provide services pursuant to two-plan and~~
- 8 ~~geographic managed care models, to link all individual level data~~
- 9 ~~collected as a part of analyzing their Healthcare Effectiveness Data~~
- 10 ~~and Information Set (HEDIS) measures, or their External~~
- 11 ~~Accountability Set (EAS) performance measure equivalent, to~~

1 patient identifiers in a manner that allows for an analysis of
2 disparities in medical treatment by geographic region, primary
3 language, race, ethnicity, gender, and, to the extent data is
4 available, by sexual orientation and gender identity, and to provide
5 that information to the department annually. The department shall
6 make this data available, in a format that complies with the Health
7 Insurance Portability and Accountability Act of 1996, for research
8 purposes through a data use or business associate agreement.

9 ~~(b) (1)–~~

10 14029.92. (a) When the department enters into a new contract
11 with an EQRO, the department shall do either of the following:

12 ~~(A) Include in External Quality Review Organization (EQRO)~~
13 ~~for the EQRO to perform work associated with Medi-Cal managed~~
14 ~~care programs, the terms of the new contract shall contain a~~
15 ~~requirement that, upon approval of the contract, the EQRO stratify~~
16 ~~all patient-specific HEDIS Healthcare Effectiveness Data and~~
17 ~~Information Set measures, or their EAS External Accountability~~
18 ~~Set performance measure equivalent, in the aggregate, by~~
19 ~~geographic region, area, primary language, race, ethnicity, gender,~~
20 ~~and, to the extent data is available, by sexual orientation and gender~~
21 ~~identity.~~

22 ~~(B) Stratify, upon approval of the contract, all patient-specific~~
23 ~~HEDIS measures, or their EAS performance measure equivalent,~~
24 ~~in the aggregate, by geographic region, primary language, race,~~
25 ~~ethnicity, gender, and, to the extent data is available, by sexual~~
26 ~~orientation and gender identity.~~

27 ~~(2) The stratification required pursuant to paragraph (1) shall~~
28 ~~be completed identity, in order to identify disparities in the quality~~
29 ~~of care provided to Medi-Cal managed care enrollees based on~~
30 ~~the factors identified in paragraph (1): those factors.~~

31 ~~(3)~~

32 (b) The department shall publicly report the analysis identified
33 in paragraph (1) subdivision (a) on the department's Internet Web
34 site.

35 (c) This section shall be implemented only to the extent that
36 funding is available.

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